

ORIGINAL SUMMONS

FILED

STATE OF TENNESSEE
21ST JUDICIAL DISTRICTCASE FILE NUMBER 10-CV-0236
AM OCT 06 2010 PM

CHANCERY COURT

LINDA A. GOSSETT, CLERK & MASTER

PLAINTIFF

DEFENDANT BY: *Beth H. H. H.* D.C.ROGER FARLEY
And wife, CAROLYN FARLEYSTATE FARM FIRE & CASUALTY CO.
and JOSEPH ROOKER, AGENTTO: STATE FARM FIRE & CASUALTY CO. Served through the State of
Tennessee Commissioner of Insurance

YOU ARE HEREBY SUMMONED TO DEFEND A CIVIL ACTION FILED AGAINST
YOU IN CHANCERY COURT, HICKMAN COUNTY, TENNESSEE. YOUR DEFENSE MUST BE MADE
WITHIN THIRTY (30) DAYS FROM THE DATE THIS SUMMONS IS
SERVED UPON YOU. YOU ARE DIRECTED TO FILE YOUR DEFENSE WITH THE CLERK OF THE
COURT AND TO SEND A COPY TO THE PLAINTIFF'S ATTORNEY
AT THE ADDRESS LISTED BELOW. IF YOU FAIL TO DEFEND THIS ACTION BY THE
ABOVE DATE, JUDGMENT BY DEFAULT CAN BE RENDERED AGAINST YOU FOR
THE RELIEF SOUGHT IN THE COMPLAINT.

ATTORNEY FOR PLAINTIFF:
Pro Se

DATE ISSUED AND ATTESTED

*October 6, 2010**Linda A. Gossett*
LINDA A. GOSSETT, CLERK & MASTER

PHONE (931)

BY: *Beth H. H. H.*
DEPUTY CLERK

NOTICE

TO THE DEFENDANT(S)

Tennessee law provides a four thousand dollar (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. This list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, and the family bible and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer

RETURN ON SERVICE OF SUMMONS

see
next
pg.

I hereby certify and return that I have served this summons together with the complaint as follows:

DATE OF SERVICE:

SHERIFF/DEPUTY SHERIFF

STATE OF TENNESSEE
Department of Commerce and Insurance
500 James Robertson Parkway
Nashville, TN 37243-1131
PH - 615.532.5260, FX - 615.532.2788
brenda.meade@tn.gov

FILED

AM OCT 19 2010 PM

LINDA A. GOSSETT, CLERK & MASTER
BY: _____ D.C.

October 14, 2010

State Farm Fire & Casualty Company
2500 Memorial Boulevard % Jeff Shay
Murfreesboro, TN 37131-0001
NAIC # 25143

Certified Mail
Return Receipt Requested
7009 3410 0002 1723 4797
Cashier # 5767

Re: Roger & Carolyn Farley V. State Farm Fire & Casualty Company

Docket # 10-Cv-4236

To Whom It May Concern:

Pursuant to Tennessee Code Annotated § 56-2-504 or § 56-2-506, the Department of Commerce and Insurance was served October 12, 2010, on your behalf in connection with the above-styled proceeding. Documentation relating to the subject is herein enclosed.

Brenda C. Meade
Designated Agent
Service of Process

Enclosures

cc: Chancery Court Clerk
Hickman County
104 College Avenue, #202
Centerville, Tn 37033

ORIGINAL**SUMMONS**STATE OF TENNESSEE
21ST JUDICIAL DISTRICT
CHANCERY COURT

CASE FILE NUMBER 10-CV-4236

FILED

AM OCT 06 2010 PM

PLAINTIFF**DEFENDANT** LINDA A. GOSSETT, CLERK & MASTERROGER FARLEY
And wife, CAROLYN FARLEYBY: Debbie Hallow D.C.
STATE FARM FIRE & CASUALTY CO.
and JOSEPH ROOKER, AGENT**TO: JOSEPH ROOKER, AGENT for State Farm Insurance**

YOU ARE HEREBY SUMMONED TO DEFEND A CIVIL ACTION FILED AGAINST YOU IN CHANCERY COURT, HICKMAN COUNTY, TENNESSEE. YOUR DEFENSE MUST BE MADE WITHIN THIRTY (30) DAYS FROM THE DATE THIS SUMMONS IS SERVED UPON YOU. YOU ARE DIRECTED TO FILE YOUR DEFENSE WITH THE CLERK OF THE COURT AND TO SEND A COPY TO THE PLAINTIFF'S ATTORNEY AT THE ADDRESS LISTED BELOW. IF YOU FAIL TO DEFEND THIS ACTION BY THE ABOVE DATE, JUDGMENT BY DEFAULT CAN BE RENDERED AGAINST YOU FOR THE RELIEF SOUGHT IN THE COMPLAINT.

ATTORNEY FOR PLAINTIFF:
Pro Se

DATE ISSUED AND ATTESTED

October 6, 2010
Linda A. Gossett
LINDA A. GOSSETT, CLERK & MASTER

PHONE (931)

BY: Debbie Hallow
DEPUTY CLERK**NOTICE****TO THE DEFENDANT(S)**

Tennessee law provides a four thousand dollar (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. This list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, and the family Bible and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

RETURN ON SERVICE OF SUMMONS

I hereby certify and return that I have served this summons together with the complaint as follows:

Served by personally serving, & leaving a copy of this summons with Chelby Barco
DATE OF SERVICE: 10-13-10 @ State Farm Ins. Co.Debbie Hallow
SHERIFF/DEPUTY SHERIFF Lewis Co. S.O.**received**
10/12/10

IN THE CHANCERY COURT FOR HICKMAN COUNTY
AT CENTERVILLE, TENNESSEE

FILED

**ROGER FARLEY
And wife, CAROLYN FARLEY**

Plaintiffs

vs.

**STATE FARM FIRE &
CASUALTY CO.
And JOSEPH ROOKER, AGENT
FOR STATE FARM INSURANCE**

Defendants

AM OCT 06 2010 PM

LINDA A. GOSSETT, CLERK & MASTER
BY: *[Signature]*

Case Number 10-CV-4236

COMPLAINT

Comes now the Plaintiffs, Roger Farley and wife, Carolyn Farley, by and through counsel, and state and show as their cause of action against Defendants, as follows:

1. The Plaintiffs are citizens and residents of Hickman County, Tennessee.
2. Upon information and belief, the Defendant State Farm Fire & Casualty Co. is an insurance company licensed and bonded to do business in the State of Tennessee. The Defendant may be served through the office of the State of Tennessee, Commissioner of Insurance.
3. Upon information and belief, the Defendant Joseph Rooker is an Agent for State Farm Insurance.
4. The Plaintiffs have a homeowners' policy with the Defendants, policy no. 42-J2-9706-2. The policy period for said policy was from March 11, 2008 to March 11, 2009.
5. On February 24, 2009, the Plaintiffs' home and personal property located at 4621 Coble to Only Road, Centerville, Hickman

County, Tennessee 37033 were destroyed by a fire. Said losses are covered by the policy in question.

6. The Defendant company has breached its contractual obligations to the Plaintiffs by failing to pay in full and in a timely manner all covered losses as to the home and for covered losses for personal property as specified by the policy in question.

7. The Defendants are liable to the Plaintiffs for breach of contract.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs do respectfully pray:

1. That the Defendants be served with a copy of this Complaint and that it be required to file an answer within the time required by law;

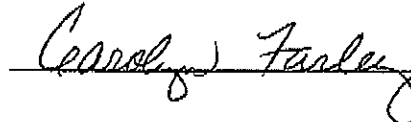
2. That the Defendants be found liable to the Plaintiffs for breach of contract (to-wit: breach of its insurance policy to the Plaintiffs), and that the Defendants be required to pay compensatory and incidental damages to the Plaintiffs as a result of said breach;

3. That the Defendants be ordered to pay the Plaintiffs' reasonable and necessary attorney's fees in bringing this cause of action;

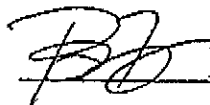
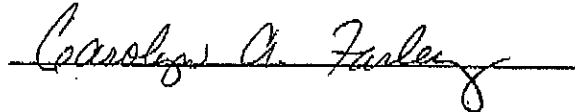
4. That the Defendants be ordered to pay the costs of this cause;
and

5. That the Plaintiffs be granted such further and general relief to which they may otherwise prove entitled.

 By: _____
Roger Farley

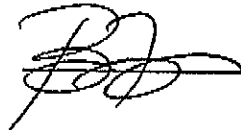
 By: _____
Carolyn Farley

We acknowledge ourselves as surety in this cause not to exceed Five Hundred Dollars (\$500.00).

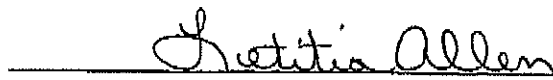
 By: _____


STATE OF TENNESSEE
COUNTY OF HICKMAN

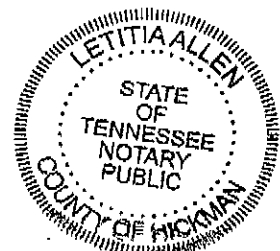
I, Roger Farley, having first been duly sworn according to law, verify and make oath that the facts and matters stated in the foregoing document are true and correct to the best of my knowledge, information and belief.

 _____
Roger Farley

Sworn to and subscribed before me this 16th day of October, 2010.

 _____
Notary Public

My Commission Expires: 9-24-12



STATE OF TENNESSEE
COUNTY OF HICKMAN

I, Carolyn Farley, having first been duly sworn according to law, verify and make oath that the facts and matters stated in the foregoing document are true and correct to the best of my knowledge, information and belief.

Carolyn Farley
Carolyn Farley

Sworn to and subscribed before me this 6th day of October, 2010.

Letitia Allen
Notary Public

My Commission Expires: 9-24-12

